

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA


LUKE ALLEN,)	
)	
Petitioner,)	
)	
v.)	1:05CV00555
)	1:99CR277-1
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

O R D E R

On July 22, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Thereafter, and within the time limit prescribed by Section 636, petitioner filed objections to the Recommendation.

The Court has reviewed petitioner's objections de novo and finds they do not change the substance of the United States Magistrate Judge's rulings which are affirmed and adopted.

IT IS THEREFORE ORDERED that this action be, and the same hereby is, dismissed sua sponte for lack of jurisdiction, and that finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is denied.


United States District Judge

November 29, 2005